IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 5357 OF 2001(S/S)
(Old No. 28587 of 1997)

Zaibun Nisa, daughter of Bhoorey Khan, resident of 11/117, Yahya Shah Pucca Bagh, Saharanpur. .....Petitioner.

Versus

1. District Basic Shiksha Adhikari, Dehradun.
2. Additional Basic Shiksha Adhikari, Dehradun.
3. Director of Education, Department Basic, Uttara Pradesh, Lucknow. .....Respondents.

Sri Ramji Srivastava, learned counsel for the petitioner.
Learned standing counsel.

Dated: 09.05.2005

Hon'ble Rajesh Tandon, J.

By the present writ petition, the petitioner has prayed for a writ of mandamus directing the respondent no. 1 to permit the petitioner to join her duties in compliance of the order dated 01.08.1997.

Briefly stated, on 06.08.1995 respondent no. 1 invited applications for the post of Urdu Teachers in Amar Ujala.

The petitioner was one of the candidates, who passed intermediate in Urdu.

The respondent no. 1 issued letters to all the candidates to appear in the interview to be held on 10th of September, 1995 in Government Girls Inter College, Rajpur Road, Dehradun. After the examination being held, all the candidates were intimated through letters dated 16.10.1995 that they have been declared successful in the written examination, hence they are qualified for the appointment and directed to appear before the Selection Committee on 27.10..1995. The petitioner appeared in the office on 27th October, 1995, but the date was extended to 6th of November, 1995 on the ground that the election of the Town

Area is going to be held. On 6th of November, 1995, all the candidates including petitioner appeared before the Selection Committee for verification, thereafter, they were waiting for their appointment letters.

Petitioner has submitted that appointment letters were also issued to all the remaining 16 candidates. The name of the petitioner appears in the list at Serial No. 2 (Annexure 5 to the writ petition).

In view of the interim order passed on 05.09.1997, I have also passed order in *Writ Petition No. 5358 of 2001 (SS) Rashid Ali Khan V. District Basic Shiksha Adhikari.*

Learned counsel for the petitioner has submitted that all other candidates have already been taken in job except the petitioner.

Considering the aforesaid facts and circumstances, respondents are directed to consider the candidature of the petitioner for the post of Assistant Teacher in Urdu, if the post is still lying vacant within the District of Dehradun.

(Rajesh Tandon, J.)

09.05.2005

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